

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

**FIRST BAPTIST CHURCH OF
MAURICEVILLE, TEXAS**

V.

**GUIDEONE MUTUAL INS. CO. and
PAUL E. ODOM**

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NO. 1:07-CV-988

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

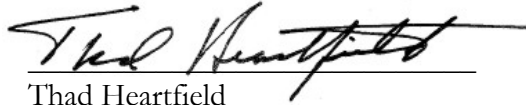
The court referred this matter to the Honorable Earl S. Hines, United States magistrate judge, for pretrial proceedings pursuant to a Referral Order filed on January 7, 2008. The court has received and considered the report of the United States magistrate judge, who recommends that the court deny GuideOne's motion for partial summary judgment to the extent that it seeks to avoid liability for expenses incurred in extracting pollutants from First Baptist Mauriceville's land up to \$10,000.00 per described premises, and grant the motion in all other respects.

No objections to the magistrate judge's report and recommendation have been filed. Accordingly, the magistrate judge's report is hereby **ADOPTED**. It is further

ORDERED that defendant GuideOne's motion for partial summary judgment (Docket No. 11) is **DENIED** to the extent that it seeks to avoid liability for expenses incurred in extracting

pollutants from First Baptist Mauriceville's land up to \$10,000.00 per described premises,¹ and is **GRANTED** in all other respects.

SIGNED this the 17 day of **February, 2009**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge

¹ Whether First Baptist Mauriceville actually incurred or will incur expenses for extraction of pollutants is a separate issue to be determined at trial.